

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDC SDNY
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IN RE BYSTOLIC ANTITRUST LITIGATION	:	
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This Document Relates To:	:	20-cv-5735 (LJL)
	:	
All Direct Purchaser Actions	:	<u>ORDER</u>
<i>CVS Action</i> (No. 20-cv-10087)	:	
<i>Walgreen Action</i> (No. 20-cv-9793)	:	
All End-Payor Actions	:	
	:	
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LEWIS J. LIMAN, United States District Judge:

For the reasons stated in the Opinion and Order filed by the Court today: Defendants' motion to dismiss the Direct Purchaser and Retailer Plaintiffs' Complaints for failure to state a claim is GRANTED, and the Direct Purchaser and Retailer Plaintiffs' Complaints are DISMISSED without prejudice to Direct Purchaser Plaintiffs and Retailer Plaintiffs filing amended complaints by **February 22, 2022**. Defendants' motion to dismiss the End-Payor Plaintiffs' Complaint for failure to state a claim is GRANTED, and the End-Payor Plaintiffs' Complaint is DISMISSED without prejudice to End-Payor Plaintiffs filing an amended complaint by **February 22, 2022**. Nonresident Defendants' motion to dismiss the End-Payor Plaintiffs' Complaint's ninety-nine non-New York, state-law claims for lack of personal jurisdiction and Teva Israel's motion to dismiss for lack of personal jurisdiction are DENIED without prejudice as moot.

In order to preserve the ability of the parties to move the Court for redactions from the Opinion and Order, the Opinion and Order is temporarily filed under seal. The parties shall meet and confer with respect to potential redactions and, by **January 31, 2022**, the parties shall file any proposed redactions pursuant to the Court's Individual Practices. In addition, the parties are invited to inform the Court of any errors in citation, typography, or similar errors they discover in their review. The Court will rule on any outstanding motions to seal at the same time it rules on any proposed redactions to the Opinion and Order.

SO ORDERED.

Dated: January 24, 2022
New York, New York


LEWIS J. LIMAN
United States District Judge